

STATE OF INDIANA) IN THE MARION CIRCUIT COURT
COUNTY OF MARION) SS:
AVC NO. 08-004

IN RE:

MAILCO LLC,

Respondent.

FILED

23

MAR 03 2008

Elizabeth L. White
CLERK OF THE MARION CIRCUIT COURT

ASSURANCE OF VOLUNTARY COMPLIANCE

The State of Indiana, by Attorney General Steve Carter and Deputy Attorney General January Portteus, and Respondent, Mailco LLC, enter into this Assurance of Voluntary Compliance (Assurance), pursuant to Indiana Code § 24-5-0.5-7.

Any violation of the terms of this Assurance constitutes *prima facie* evidence of a deceptive act. This Assurance is entered into without any adjudication of any issue of fact or law and upon consent of the parties.

The parties acknowledge and agree as follows:

1. Respondent Mailco LLC is a limited liability company engaged in the promotion of prizes to Indiana residents. Respondent maintains a principal place of business at 5015 West Sahara Ave., Suite 125, PMB 243, Las Vegas, NV 89146.
2. The terms of this Assurance apply to and are binding upon Respondent and Respondent's agents, employees, officers, owners, representatives, assigns, and successors.
3. Respondent acknowledges the jurisdiction of the Indiana Attorney General to investigate matters hereinafter described and to enforce the terms of this Assurance,

pursuant to the authority of Ind. Code § 4-6-9-4, Ind. Code §§ 24-5-0.5-1 through -12, and Ind. Code §§ 24-8-1 through -6.

4. Respondent acknowledges it has been advised that the Attorney General's role in this matter is to serve as counsel for the State of Indiana and the State of Indiana has not given Respondent any legal advice regarding this matter.

5. The parties agree that if any term used in this Assurance is defined under Ind. Code §§ 24-5-0.5-1 through -12 (the "Deceptive Consumer Sales Act") or Ind. Code §§ 24-8-1 through -6 (the "Promotional Gifts and Contests Act"), the term shall have the meaning set forth under the respective Act.

6. Respondent agrees, pursuant to Ind. Code §24-8-3-3 that all notices sent by the Respondent will state the verifiable retail value of each prize a participant has been awarded or may have been awarded.

7. Respondent agrees, pursuant to Ind. Code §24-8-3-4(a) that if an element of chance is involved, each notice must state the odds the participant has of receiving each prize.

8. Respondent agrees, pursuant to Ind. Code §24-8-3-4(b) that the statement of odds must include, for each prize, the total number of prizes to be given away and the total number of notices distributed.

9. Respondent agrees, pursuant to Ind. Code §24-8-3-5(a) that the verifiable retail value and odds for each prize will be stated in immediate proximity with each listing of the prize in each place it appears on the notice.

10. Respondent agrees, pursuant to Ind. Code §24-8-3-5(b) that the verifiable retail value and odds for each prize must be listed in the same size type and boldness as the prize.

11. Respondent, in soliciting Indiana consumers, agrees to refrain from conducting any business activity in the State of Indiana unless those activities are in full compliance with the Promotional Gifts and Contests Act, Ind. Code § 24-5-11-1, *et seq.* and the Deceptive Consumer Sales Act, Ind. Code § 24-5-0.5 -1, *et seq.*

12. Upon execution of this Assurance, Respondent shall pay to the Office of the Attorney General One Thousand Five Hundred Dollars (\$1,500.00) for costs.

13. Respondent shall not represent that the Indiana Attorney General approves or endorses its past or future business practices, or that execution of this Assurance constitutes such approval or endorsement.

14. Respondent shall fully cooperate with the Indiana Attorney General in the resolution of any future written complaints the Consumer Protection Division receives against it.

15. This Assurance does not constitute Respondent's admission of guilt or liability.

16. The Indiana Attorney General shall file this Assurance with the Circuit Court of Marion County. The Court's approval of this Assurance shall not act as a bar to any private right of action.

DATED this 27th day of February, 2008.

STATE OF INDIANA
STEVE CARTER
Attorney General of Indiana

By: [Signature]
January Porttetus
Deputy Attorney General
Attorney No. 25741-49
Office of the Indiana Attorney General
302 W. Washington Street, 5th Floor
Indianapolis, IN 46204
Telephone (317) 232-0171

RESPONDENT

Mailco LLC

By: April Swaine
Printed: April Swaine
Title: OWNER

APPROVED this MAR 03 2008 day of _____, 2008.

Theodore M Sosin

Judge, Marion Circuit Court